

USSN: 10/825,635
Attorney Docket No. 2003B043B
Reply to Office Action of April 5, 2007
Response dated July 3, 2007

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REMARKS:

Claims 1-44 are currently pending.

Claim Objections – 37 CFR §1.75(c)

Claims 1-44 are objected to as failing to further limit the subject matter of a previous claim.

Applicants request clarification of this objection because the objection does not apply to all claims within the objected range of claims. Please indicate which claims are objected to.

A person of ordinary skill in the art would understand that C₃-C₄₀ olefins as described in the specification and recited in the pending claims can be homopolymers, copolymers, terpolymers, etc. Therefore, claims limiting C₃-C₄₀ olefins to copolymers are necessarily narrower than the independent claim from which they depend. For example, while an independent claim may recite C₃ olefins – propylene polymers – dependent claims may limit the independent claim to comonomers of ethylene.

Accordingly, withdrawal of the objection and allowance of claims 1-44 are respectfully requested.

Double Patenting Rejections

These rejections should be held in abeyance until allowable subject matter is identified. At that juncture, Applicants will, if necessary, submit the appropriate terminal disclaimer(s) to obviate any then-pending double patenting rejections. Applicants respectfully submit that these rejections are not ripe for resolution until allowable claims have been identified or claims issue in the cases to which terminal disclaimers are sought. Indeed, Applicants respectfully note that the MPEP instructs the Examiner to withdraw a provisional double patenting rejection in the earlier filed of two pending applications and to allow that earlier filed application to issue as a patent *without a terminal disclaimer*. See MPEP 804(I)(B)(1).

